

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF MISSISSIPPI  
OXFORD DIVISION**

**ADRIAN HOYLE**

**PLAINTIFF**

**VS.**

**CIVIL ACTION NO.: 3:21-cv-00171-NBB-RP**

**CITY OF HERNANDO, MISSISSIPPI,  
ET AL.**

**DEFENDANTS**

**UNOPPOSED MOTION FOR LEAVE TO FILE EXCESS PAGES**

Municipal Defendants the City of Hernando, Scott Worsham and Officer Lynn Brown request leave to file excess pages in their reply brief in support of their Motion for Judgment on the Pleadings [12] and Memorandum [13]:

1. Although Municipal Defendants understand that “[g]ood briefs . . . should be logical and succinct[.]” *see* Bryan A. Garner, *Judges On Briefing: A National Survey*, 8 *SCRIBES J. LEGAL WRITING* 1, 14 (2002), Municipal Defendants respectfully submit that this case warrants slightly more than the 35 pages allowed under the Local Rules.

2. In preparing their reply brief, Municipal Defendants do not intend to waste any pages with unnecessary discussion. Municipal Defendants’ goal is to provide this Court with an accurate factual record and a well-reasoned legal analysis. Significantly, however, this case presents multiple claims against three different defendants.

3. Rather than file separate motions and briefs, Municipal Defendants globally moved for judgment on the pleadings for efficiency reasons. The opening brief was 20 pages, leaving only fifteen pages for a reply under Local Rule seven’s 35-page limit.

4. To adequately address the myriad of issues in this case, including constitutional standards governing arrests and use of force, qualified immunity, and *Monell*, Municipal Defendants request an additional 15 pages for their reply.

5. Opposing counsel has informed undersigned counsel that this motion is not opposed.

6. Given the nature of this motion, Municipal Defendants request that they be excused from the requirement of filing a separate memorandum of authorities.

For these reasons, Defendants respectfully request an additional 15 pages in connection with their forthcoming reply brief.

Dated: October 26, 2021.

Respectfully submitted,

PHELPS DUNBAR, LLP

BY: /s/ Mallory K. Bland

G. Todd Butler, MB #102907  
Mallory K. Bland, MB #105665  
4270 I-55 North  
Jackson, Mississippi 39211-6391  
Post Office Box 16114  
Jackson, Mississippi 39236-6114  
Telephone: 601-352-2300  
Telecopier: 601-360-9777  
Email: todd.butler@phelps.com  
mallory.bland@phelps.com

**ATTORNEYS FOR DEFENDANTS**

**CERTIFICATE OF SERVICE**

I certify that, on October 26, 2021, I electronically filed this motion with the Clerk of the Court, using the CM/ECF system, which sent notification of such filing to all counsel of record.

/s/ Mallory K. Bland  
Mallory K. Bland